



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**  
DIVISION OF PROFESSIONAL REGULATION

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<b>PUBLIC MEETING MINUTES:</b>	<b>COUNCIL ON REAL ESTATE APPRAISERS</b>
<b>MEETING DATE AND TIME:</b>	<b>Tuesday, October 15, 2013 at 9:30 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , 2nd floor of the Cannon Building
<b>MINUTES APPROVED:</b>	November 19, 2013

**Members Present**

Ronald Mandato, Vice Chair, Professional Member  
Brad Levering, Professional Member  
Douglas Nickel, Professional Member  
Lynn Baker, Professional Member  
Jan Jenkins, Public Banking Member  
Frank Smith, Public Member  
Frank Long, Public Member

**Division Staff/Deputy Attorney General**

Kevin Maloney, Deputy Attorney General  
Amanda McAtee, Administrative Specialist II  
Jeff Ford, Investigative Supervisor

**Members Absent**

Georgianna Trietley, Chair, Professional Member

**Public Present**

Doug Sensabaugh  
Martin Duszak

**Call to Order**

Mr. Mandato called the meeting to order at 9:35 a.m.

**Review and Approval of Minutes**

The Council reviewed the minutes from the September 17, 2013 meeting. Mr. Nickel made a motion, seconded by Mr. Smith, to approve the minutes as submitted. By unanimous vote, the motion carried.

### **Unfinished Business**

#### **Status of Complaints**

19-11-12 – Forwarded to Attorney General's Office for Review

19-12-12 – Dismissed by the Division

19-13-12 – Forwarded to Attorney General's Office for Review

Mr. Mandato stated the status of complaints were as listed above.

### **New Business**

#### **New Complaints**

19-08-13

Mr. Mandato stated that the Council received a new complaint, 19-08-13.

#### **Ratification of Issued Licenses**

Mr. Baker made a motion, seconded by Mr. Nickel, to ratify the list of licenses issued below. The motion carried unanimously.

Norman W. Lezotte, Temporary Practice Permit  
Samuel Levi, Temporary Practice Permit  
Royce A. Rowles, Temporary Practice Permit  
Bradford L. Johnson, Temporary Practice Permit  
Philip C. Stock, Temporary Practice Permit  
Michael P. Cummings, Temporary Practice Permit  
Matthew T. Vaneck, Temporary Practice Permit  
Michael J. Carey, Temporary Practice Permit  
Michael B. Baldwin, Temporary Practice Permit  
Kelli M. Holman, CRRPA

#### **Review of Application for Certified Assessor**

None

#### **Review of Application for Examination**

None

#### **Review of Application for Re-examination**

None

#### **Review of Application for Exemption**

None

#### **Reciprocity**

None

#### **Review of Hearing Officer Recommendations**

None

#### **Review and Deliberation of Consent Agreements**

None

#### **Review of Application for Temporary Practice Permit**

None

Review of Experience Log

None

Approval of Continuing Education Activities

After review, Mr. Nickel made a motion, seconded by Ms. Jenkins, to approve the continuing education activities in the attached listing. The motion carried unanimously.

Board Order Compliance

Elizabeth Reagan

Carole L. Pare'

Mr. Mandato reviewed and stated that they were both in order. After discussion, Ms. Jenkins made a motion, seconded by Mr. Levering, to approve the Board order compliance of Elizabeth Reagan and Carole L. Pare'. The motion carried unanimously.

Proposed Rules and Regulations Changes

Ms. McAtee stated that a draft of the assessor and appraiser changes to reflect the new AQB criteria that were discussed during the July meeting were drafted into final form. After review and discussion, Mr. Nickel made a motion, seconded by Mr. Baker, to approve the draft for publication in the register of regulation. The motion carried unanimously.

ASC Compliance Review Report

Andrew Smith

Ms. McAtee stated that the Appraisal Subcommittee (ASC) had sent their final report for review. In the report, the ASC stated that a licensee was improperly credentialed in that Andrew Smith submitted an affidavit of experience instead of a log and that was not AQB compliant.

Ms. McAtee stated that she had requested that Mr. Smith submit an experience log. A Council member would have to review it at the next meeting and select five reports to be reviewed for USPAP compliance.

Correspondence from Mark Killian

Mr. Maloney stated that he was making a de facto Americans with Disabilities Act claim, since that was a Federal Law that would provide Council with the latitude to provide an accommodation to a person in this situation. Mr. Maloney noted that the individual was willing to provide care records from his doctor and the Council could take him up on that offer to have record of his claims. Mr. Maloney suggested having Ms. McAtee request his records to support his claim. Mr. Mandato stated that he would review the information sent from his physician.

Mr. Nickel stated that his issue was that a lot of appraisers have difficulty standing. Mr. Baker stated that he could not sit for long hours and he still took live CE courses, he just stood during some portions of the class. Mr. Nickel suggested granting him a waiver for this cycle but for future renewals he would have to meet the same requirements like all other appraisers. After discussion, Mr. Nickel made a motion, seconded by Mr. Levering, to approve his request for a waiver for classroom CE hours for this current cycle, and to issue specific instructions as this was a one-time waiver of the requirement of classroom hours contingent upon review of a letter from his physician documenting his disability. The motion carried unanimously.

Correspondence from Glenn Piper

Mr. Mandato stated that Mr. Piper's son in-law was involved in an audit and did not respond or appear at the hearing. The Council agreed with the hearing officer's recommendation and voted to revoke his license. Mr. Maloney stated that even if Council was inclined to do something, the appeal period had passed. Mr. Mandato stated that he already recommended to Mr. Piper that his son in-law Mr. Smith would need to reapply before the end of the year. Mr. Maloney stated that the revocation on Mr. Smith's license was permanent and not reversible, and the applicant must reapply at this point.

**Other Business before the Council (for discussion only)**

**Public Comment**

Mr. Sensabaugh questioned if it was possible to extend the certification period for assessors. Mr. Maloney stated that the enactment date was in the law (statute) and stated that all assessors must be licensed within three years within adoption of regulations.

Mr. Sensabaugh questioned if licensed appraisers would need to be certified as assessors as well. If they wanted to be both, would they have to pay for both licenses? The Council stated that they would look into Mr. Sensabaugh's inquiry and would put the topic on the November agenda for discussion.

**Executive Session**

None

**Next Meeting**

The next meeting is scheduled for November 19, 2013 at 9:30 a.m. in Conference Room A second floor, Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

Mr. Nickel made a motion, seconded by Mr. Long, to adjourn the meeting. There being no further business before the Council, the meeting adjourned at 11:12 a.m. The motion carried unanimously.

Respectfully submitted,



Amanda McAtee  
Administrative Specialist II

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Council members and the public in supplementing their personal notes and recall for presentations.*